

DIST/OFFICE	YR.	NUMBER	MO.	DAY	YEAR	J	N/S	O	R	23	\$	DEMAND	OTHER	JUDGE	NUMBER	DEM.	YR.	DOCKET	NUMBER
1085/4	76	0222	05	20	76	3	830	1				50 & inj.		8509			76	0222-B	

PLAINTIFFS

WHITE SEWING MACHINE COMPANY, a  
corporation

DEFENDANTS

MARVIN DOYLE RUMBAUGH, an individual, doing business as White Sewing Machine Sales, Inc., also known as Rumbaugh's "White Sewing Center," and Columbus Lee Jones, an individual.  
White Sewing Machine Sales, Inc.

CAUSE

Violated Patent - 28 U.S.C. 1338; 15 U.S.C. 1121, 28 U.S.C. 1332.

ATTORNEYS

Michael Minnis  
Rainey, Wallace, Ross & Cooper  
735 First National Center West  
Oklahoma City, Oklahoma 73102

405/235-1356

Byron D. Todd (Rumbaugh & White Sewing Machine Sales, Inc.)  
Suite 403-City Plaza East  
5330 East 31st Street  
Tulsa, Oklahoma 74135

Joseph LeDonne, Jr. (Columbus Jones)  
401 Center Office Building  
Tulsa, OK 74127 11-5-76

Lawrence A. Johnson (Columbus Jones)  
Farmer, Woolsey, Tips & Gibson  
Inc.  
Fifth Floor, Mid-Continent Bldg.  
Tulsa, Oklahoma 74103  
918 585-1181

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FILING FEES PAID

DATE	RECEIPT NUMBER	C.D. NUMBER

STATISTICAL CARDS

CARD DATE MAILED  
JS-5 6-1-76  
JS-6 2-1-78

DATE	NR.	PROCEEDINGS
5-20-76	1.	Complaint, filed. rm Summons issued-
5-20	2.	Motion of pltf. for preliminary injunction, with Affidavits of H. E. Siler, Clifford R. Story, Mrs. Rooney McInerney, Susan McInerney, and Michael Minnis, filed. rm
5-25	3.	Order, filed, that defts. appear in Courtroom 1 at 10:00 a.m., 6-10-76, and show cause why they should not be enjoined from misrepresentation in business and other relief as may be deemed proper. Further, that defts. are directed to serve, on or before 6-2-76, upon pltf. counsel, copies of all affidavits and papers upon which they intend to rely at said hrg. and that pltf. shall have til 6-10-76 to reply to said affidavits and papers. (AEB-J)k <i>copy to T Jones of all pldgs to USM for service.</i>
6-10	4.	Answer, filed, in behalf of defendant, Marvin Doyle Rumbaugh. s
6-10		Case called for hearing on preliminary injunction. Parties represented. Pltf. moves to add Corp. Ct. allows & White Sewing Machine Sales, Inc. in added to Defts' style. Deft. co. for Jones states IRS has tax claim against business & it is closed. Parties to report back to Ct. at 2:00 P.M. for decision of Ct. & trial date will be set. (AEB-J)b
6-10-	MO:	The parties having informed the Court that they have agreed to the form of the injunction in this matter by agreement, IT IS ORDERED that the continued hearing on plaintiff's application for a preliminary injunction set for 2:00 P.M., is stricken. (AEB-J)b
6-11	5	Return on USM service of summons, complaint, motion, and show cause order, filed. Served Columbus Lee Jones on 5-30-76 at Tulsa, Ok. Served Marvin Doyle Rumbaugh on 5-26-76 at Bixby, Ok. Fees: \$19.20.s
6-17	6.	Preliminary Injunction, filed, that defts. are enjoined and that White Sewing Machine Sales, Inc. is made add. party def. (AEB-J)rm-copies md.
6-21	7.	Answer, filed, in behalf of defendant, Columbus Lee Jones.s of pltf.
7-19	8.	Notice/to take depts. of Marvin Doyle Rumbaugh and Columbus Lee Jones on 8-13-76 at Tulsa, Okla., filed. lm (subpoenas issued)
8-2		Subpoenae, ret. & filed: served Columbus Lee Jones 7-21-76, and Marvin Doyle Rumbaugh 7-30-76. (USM \$6.40)g
8-5	9.	Request for admissions for Deft. Marvin Doyle Rumbaugh, filed. b
8-5	10	Request for admissions for Deft. M. D. Rumbaugh as officer of White Sewing Machine Sales, Inc., filed. b
8-5	11.	Request for admissions for Deft. Columbus Lee Jones, filed. b
9-3	12.	Appl. of Joseph LeDonne, Jr. atty for deft. Columbus Lee Jones, to withdraw as attorney of record, filed. ph <i>obg</i>
9-15	13.	Pltf's first interrogatories to deft. Marvin Doyle Rumbaugh, filed.s
9-16	14	Letter from pltf counsel, filed, as objection to appl. to withdraw as atty of record for deft. Jones.k
9-16	MO	The Court has for consideration the appl. by Joseph LeDonne, Jr., to w/draw as atty for deft. Columbus Lee Jones, the letter of Michael Minnis, atty for the pltf., which the Court has directed be filed as objections to said appl., and being fully advised in the premises, finds that it is ordered that Joseph LeDonne, Jr. respond to the objections of the pltf. to said w/drawal within 10 days of this date. (AEB-J)k cps mld
10-26	15.	Motion to compel deft. Rumbaugh to ans. interros. of pltf., or, alternatively, to enter default judgment in favor of pltf against deft, filed. lm

## CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. <u>76-C-222B</u>
White Sewing Machine Co.		Marvin Doyle Rumbaugh	PAGE <u>3</u> OF <u>      </u> PAGES
DATE	NR.	PROCEEDINGS	
10-26	MO	It is ordered by the Court that deft. Rumbaugh is granted 10 days to respond to pltf's motion to compel deft. rumbaugh to answer interrogs. of pltf, or, alternatively, to enter default judgment in favor of pltf. against deft. (AEB-J)lm ltrs mld.	
11-1	16.	Deft. Marvin D. Rumbaugh's response to pltf's motion to compel deft. to ans. interrogs. of pltf., or alternatively, to enter default judgment in favor of pltf. against deft., filed.s	
11-1	17.	Deft. Marvin Doyle Rumbaugh's answers to pltf's first interrogs., filed.s.	
11-5	18.	Order, filed, allowing Joseph LeDonne, Jr., to w/draw as counsel for deft. Jones. Further, that deft. Jones is granted 20 days from this date to secure counsel & have counsel make entry of appearance. (AEB-J)k cps mld	
12-20	19.	Pltf's motion for S/J, filed. lm	
12-20	20.	Pltf's brief in support of motion for S/J, filed. lm	
12-20	MO	Ordered by the Court that defts. are granted ten days from this date to file a response to pltf's motion for S/J. (AEB-J)lm ltrs mld	
12-30	21.	Deft. Marvin Doyle Rumbaugh's request for additional time to respond to pltf's mot. for S/J, filed.s 0 to J	
<u>1977</u>			
1-7	22.	Order, filed, that deft. Marvin Doyle Rumbaugh is granted until 1-19-77 to resp. to pltf's motion for S/J. (AEB-J)ph cps mld	
1-20	23.	Deft. Marvin Doyle Rumbaugh's response to mot. for S/J of pltf., filed.s	
1-20	24.	Deft. Marvin Doyle Rumbaugh's brief in opposition to pltf's mot. for S/J, filed.s	
1-20	25.	Affidavit of Byron D. Todd, atty for Marvin Doyle Rumbaugh, filed.s	
1-26	26.	Mot. of Pltf. to Strike, fld. v	
1-26	27.	Brief in support, fld. v	
1-26	MO:	Defts. are granted 10 days from this date to file response to Pltf.'s mot. to strike. (AEB-J)v	
1-27	28.	Deft. Rumbaugh's reply to request for admissions, filed.s	
1-27	29.	Affidavit of Marvin Doyle Rumbaugh in response to pltf's mot. for S/J, filed.s	
1-31	30.	Second Motion to Strike, fld. by the Pltf. v	
1-31	31.	Brief in support, fld. v	
1-31	MO:	Defts. granted 10 days from this date to respond to Pltf.'s 2nd Mot. to strike. (AEB-J)v	
1-31	32.	Deft. Columbus Lee Jones' application for hrg. to set security, filed.s	
1-31	33.	Brf. in support of deft. Columbus Jones' appl. for hrg. to set security, filed.s	
2-1	MO	It is ordered by the Court that the Pltf. file a responsive brf. within 10 days to deft' Columbus Jones' appl. for hrg. to set security.s (AEB-J) cps. mld.	

## CIVIL DOCKET CONTINUATION SHEET

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PLAINTIFF		DEFENDANT	DOCKET NO. _____
White Sewing Machine Co.		Marvin Doyle Rumbaugh, et. al.	PAGE ____ OF ____ PAGES
DATE	NR.	PROCEEDINGS	
1977			
1-31	34.	Appearance of counsel for deft. Columbus Jones and application for ext. of time to file appropriate motions, filed.s	
2-3	35.	Deft. Rumbaugh's reply to pltf's mot. to strike and second mot. to strike, filed.s	
2-3	36.	Deft. Rumbaugh's combined motions for an order granting additional time to respond and for an order of continuance, filed.s	
2-3	37.	Deft. Rumbaugh's brief in support of motions for an order granting additional time to resp. and for an order of continuance, filed.s	
2-4	38.	Pltf's objection to granting of prayer of deft/ for 20 days leave to review file and file motions, filed.s Jones	
2-4	39.	Brf. in support of objection for granting leave., filed.s	
2-4	40.	Pltf's responsive brief to application for hearing to set security, filed.s	
2-7		Reporter's transcript of proceedings on 6-10-76, Preliminary Injunction, filed.(GRD-CSR)g	
2-22	41	Affidavit of Columbus Lee Jones. fld ho	
3-3	42	Deft., Columbus Jones, response to mot for summary Judgment. fld. ho	
3-10	43	Order, fld. ordered that the application for hearing to set security fld by deft, Columbus Lee Jones, be denied. (AEB-J) cps mld. ho	
3-10	44	Order, fld. ordered that the mot to strike of the pltf & the second mot to strike of the pltf be overruled. (AEB-J) cps mld. ho	
3-10	45	Order, fld. ordered that the mot for S/J filed by the pltf be overruled. (AEB-J) cps mld. ho	
3-15	46	Pltf. notice to take deposition. fld. ho	
3-16	47	Deft, Columbus Jones, mot to vacate injunction or in alternative mot for leave to file cross claim. fld. ho	
3-16	MO	It is ordered by the Ct that the pltf. file a responsive Brief w/in 10 days to deft. Columbus Jones Mot to vacate injunction or in alternative mot for leave to file cross claim. (AEB-J) cps mld. HO	
3-16	48	Deft Columbus Jones Brief in supp of mot to vacate injunction. fld ho	
3-22	49	Pltf. brief in response to mot. to vacate injunction, or in alternative, mot. for leave to file cross claim. fld. ho	
4-26		Depositions of Marvin Doyle Rumbaugh and Columbus Lee Jones, taken on behalf of the Pltf. before Donald R. Lindquist, on 4-5-77 Fees of \$121.50 paid by Pltf. fld. ho	
6-8	50.	Order, filed, that deft. Jones' motion to vacate injunction or for leave to file cross claim is denied. (AEB-J)k cps mld	
6-14	MO:	Parties are directed to hold PT conf. on or before 7-26-77 and file PT Order on or before 8-2-77. (AEB)k ntc mld	
7-1	51	Pltf. second interrog. to Deft. Marvin Doyle Rumbaugh. fld. ho	
7-1	52	Pltf. second interrog. to Deft. Columbus Lee Jones. fld. ho	
7-27	53.	Deft. Columbus Lee Jones' ans to pltf's 2nd interros., filed. lm	
8-1	54	Decree of injunction & judgment, filed & entered: defts. White Sewing Machine Sales, Inc. and Marvin Doyle Rumbaugh permanently enjoined as to use of name "White", etc.; pltf. to have judgment against daid defts. in amt. of \$30,000.00, atty fees of \$5,000.00 and costs. (AEB-J)g cp mld.	

## CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. _____
			PAGE ____ OF ____ PAGES
DATE	NR.	PROCEEDINGS	
1977			
8-2	55	Pltf. mot. to ext. time to file PTO. fld. ho	
8-3	56	Pltf. amendment to mot. to enlarge time to file PTO. fld. ho 0 to J.	
8-4	57	Order, fld. granting Pltf. an ext. of time until 8-16-77 to file an approved PTO. (AEB-J) cps mld. ho	
8-15	58.	Pre-trial Order, filed. (AEB-J)k <i>Copy to m.</i>	
8-16	59	Pltf. mot. for leave to file supplemental compl. fld. ho <i>to m.C.</i>	
8-25	60	Order, filed, granting pltf. leave to file Supplemental Compl. & deft. is ordered to answer or move with respect thereto w/in 10 days after service. (AEB-J)k cps mld	
8-25	61.	Pltf's Supplemental Complaint, filed.k cps mld	
9-9	62	Defts. Columbus Lee Jones & White Sewing Machine Sales ans. fld. ho	
9-14	MO	Parties are directed to hold a pre-trial conf. on or before 10-27-77 & file a pre-trial order on or before 11-3-77. (AEB-J) cps mld. ho	
11-2	63.	Amended pre-trial Order, filed. (AEB-J)k cps mld	
11-30	MO:	Case set for non-jury trial on 1-16-78, at 10:00 A.M. (AEB-J)b nts cert w/affid	
1978			
1-9		Subs., ret. & filed: served Columbus Lee Jones 12-28-77, Marvin Doyle Rumbaugh on 1-4-78, & Mrs. H. E. Siler on 1-6-78. (USM \$24.32)g	
1-27	MO:	The Court having been advised that the parties in this case have reached a settlement which included an agreed Decree of Injunction & Judgment, IT IS ORDERED that Judgment, including Injunction be entered in favor of the Pltf. in accordance with the formal order to be filed. (AEB-J)b nts mld	
1-30	64.	Decree of injunction & judgment, filed & entered, that deft. Jones is permanently restrained & enjoined from using the name of "White" in any manner. Further, deft. shall deliver any items bearing said trademark to pltf. Further, pltf. is awarded judgment in the amt. of \$30,000.00 w/ interest from this date. Further, that pltf. is awarded atty's fees in amt. of \$5,000.00 and costs. (AEB-J)k cps mld	
1981			
1-6	65	PARTIAL RELEASE OF JUDGMENT by pltf. as against deft. Columbus Lee Jones as it affects certain property. Pltf. reserves lien of judg. against any & all other property liable therefor.k	

## CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF	DEFENDANT	DOCKET NO. _____ PAGE ____ OF ____ PAGES
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DATE	NR.	PROCEEDINGS
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